

## **MINUTES**

### **MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** Chair Terry Murphy, on February 11, 2011 at 8:00 A.M., in Room 303 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Terry Murphy, Chair (R)  
Sen. Jim Shockley, Vice Chair (R)  
Sen. Shannon Augare (D)  
Sen. Anders Blewett (D)  
Sen. Jeff Essmann (R)  
Sen. Greg Hinkle (R)  
Sen. Larry Jent (D)  
Sen. Cliff Larsen (D)  
Sen. Lynda Moss (D)  
Sen. Jim Peterson (R)

**Members Excused:** Sen. Rowlie Hutton (R)  
Sen. Chas Vincent (R)

**Members Absent:** None

**Staff Present:** Valencia Lane, Legislative Branch  
Pam Schindler, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 97, 1/24/2011; SB 154, 1/24/2011

**HEARING ON SB 97**

**Opening Statement by Sponsor:**

00:01:57 Sen. Jim Shockley (R), SD 45, opened the hearing on SB 97, Revise parental notice of abortion and judicial bypass.

**EXHIBIT(jus34a01)**

**Proponents' Testimony:**

00:06:47 Jeff Laszloffy, Montana Family Foundation

00:11:32 Mary Beth Adams, Nurse Practitioner, Belgrade, Montana

**EXHIBIT(jus34a02)**

00:17:50 Rebecca Mastee, Montana Catholic Conference (MCC)

00:21:55 Nancy Frank, Options Women Clinic, Helena, Montana

00:25:46 Gregg Trude, Montana Right to Life (RTLMT)

00:26:29 Garrett Bacon, self, also for Becky Bacon

00:27:36 Harris Himes, Pastor, President, Montana Eagle Forum

00:28:39 Susan Smith, self

00:32:14 Cherrie Brady, self

00:34:05 Dallas Erickson, Montana Citizens for Decency Through Law (MCDL)

**EXHIBIT(jus34a03)**

00:36:46 Joel Murdy, self

00:37:22 Steve Zabawa, self

**Opponents' Testimony:**

00:38:05 Niki Zupanic, Public Policies Director, American civil Liberties Union (ACLU)

00:46:58 Kelsen Young, Montana Coalition Against Domestic And Sexual Violence (MCADSV)

00:52:08 Alex Corcoran, NARAL-Pro Choice/Montana

00:54:16 Lindsay Love, Planned Parenthood of Montana (PPMT)

00:59:45 Rita Blouke, Vice-President, Helena Area League of Women Voters

**EXHIBIT(jus34a04)**

01:03:11 Beth Brennemen, Disability Rights Montana

01:06:22 Jamee Greer, Montana Human rights Network (MHRN)

01:06:50 Stacey Anderson, self, also for Planned Parenthood of Montana (PPMT)

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

01:10:40 Sen. Larsen

01:11:11 Ms. Young

01:14:46 Sen. Larsen

01:15:23 Sen. Shockley

**Closing by Sponsor:**

01:17:46 Sen. Shockley

**Exhibit distributed to the Committee members at the conclusion of hearing SB 97:**

**EXHIBIT(jus34a05)**

Exhibit from Niki Zupanic ACLU regarding Court Order February 25, 1999

01:20:00 Recess

01:30:02 Committee Resumes

**HEARING ON SB 154**

**Opening Statement by Sponsor:**

01:30:10 Sen. Dave Lewis (R), SD 42, opened the hearing on SB 154, Regulating medical marijuana provider supply system.

**EXHIBIT(jus34a06)**

01:48:06 Chairman Murphy

**Proponents' Testimony:**

01:49:26 Jim Gingary, Executive Director, Montana Medical Growers Association (MMGA)

01:51:28 Bill Hund, self, medical marijuana grower, Butte, Montana

01:52:30 Hiedi Handford, Montana Connect, Patients Out of Time

01:54:07 John Schnabel, self

(Chairman Murphy turns over Chairman duties to Vice-Chair Shockley)

01:55:11 Taylor Lang, MMGA, Missoula, Montana

01:56:32 Valerie Siegler, self, caregiver

01:57:03 Ken Lindeman, self

01:57:50 Jeff Swenson, self

01:58:28 Bea Hensel, self

01:59:10 William Reed, self, caregiver

02:00:06 Tom Daubert, Patients and Families United

02:04:56 Harold Blattie, Executive Director, Montana Association of Counties (MACo)

02:06:24 Erin McGowan-Fincham, Montana Area Agencies on Aging

02:08:06 Susan Kohler, CEO, Missoula Aging Services, Missoula and Ravalli County, Missoula, Montana

**EXHIBIT(jus34a07)**

**EXHIBIT(jus34a08)**

02:13:59 Travis Hoffman, Montana Centers for Independent Living

02:15:59 Caroline Y. Squires, volunteer, Senior Companion, Missoula Aging Services

**EXHIBIT(jus34a09)**

02:20:08 Ben Bledsoe, Consumer Direct, Nightingale Services

(Chairman Murphy resumes Chairman duties)

02:20:46 Jim Streeter, self, Meal on Wheels, Missoula Aging Services  
 02:23:02 Jason Gully, self, caregiver, Bozeman, Montana  
 02:23:35 Doug Chyette, Montanan's for Responsible Legislation, MMGA  
 02:24:18 Rick Rosio, self  
 02:26:00 Rob Braach, Certified Public Accountant (CPA), Missoula, Montana  
 02:28:51 Alex Selznick, self  
[EXHIBIT\(jus34a10\)](#)  
 02:29:18 Joe Estenson, self  
 02:30:14 Duane Lutke, Director, Western Montana Area VI Agency on Aging  
[EXHIBIT\(jus34a11\)](#)  
 02:32:07 Evelyn Hauskjold, self  
 02:33:27 Robbie Regennitter, self  
 02:33:46 Bret George, consultant  
 02:33:59 Vanessa Fitchett, Western Montana Area VI Agency on Aging  
[EXHIBIT\(jus34a12\)](#)  
[EXHIBIT\(jus34a13\)](#)  
 02:34:16 Tawnya LaFond, self  
 02:34:42 Roxxane Citera, caregiver

**Opponents' Testimony:**

02:35:18 Cherrie Brady, Safe Community Safe Kids  
[EXHIBIT\(jus34a14\)](#)  
 02:39:32 Susan Smith, Safe Community Safe Kids  
 02:43:49 Joel Murdy, self  
[EXHIBIT\(jus34a15\)](#)  
 02:46:58 Candace Payne, Rimrock Foundation  
 02:48:48 Dr. David Carlson, Physician, Psychiatrist, Montana State Hospital  
 02:53:33 Jack Mayes Gentry, self, caregiver  
 02:54:48 Dallas Erickson, Montana Citizens for Decency Through Law  
 02:56:47 Beth Cholewa, Alliance For Cannabis Science  
[EXHIBIT\(jus34a16\)](#)  
[EXHIBIT\(jus34a17\)](#)  
 03:05:54 Steve Zabawa, self  
 03:11:49 Harris Himes, Pastor, President, Montana Eagle Forum  
 03:13:06 Rose Hibib, self, Chemist

**Informational Testimony:**

03:14:53 Tyler Duncan  
[EXHIBIT\(jus34a18\)](#)  
[EXHIBIT\(jus34a19\)](#)  
 03:16:28 Scott Montgomery, self  
 03:17:51 Jeff Buska, Administrator, Quality Assurance Division, Department of Public Health and Human Services (DPHHS), State of Montana

**EXHIBIT(jus34a20)**

Letter from Sue Wilkins, Missoula Correctional Services for informational purposes

**Questions from Committee Members and Responses:**

03:30:03 Sen. Larsen  
03:30:57 Ms. Kohler  
03:31:54 Sen. Augare  
03:32:22 Sen. Lewis  
03:33:12 Sen. Essmann  
03:34:24 Mr. Gingary  
03:39:37 Sen. Augare  
03:40:09 Chairman Murphy  
03:41:24 Sen. Essmann  
03:42:21 Mr. Daubert

03:46:09 Chairman Murphy, regarding Gray Bill from Sen. Lewis

**Closing by Sponsor:**

03:46:47 Sen. Lewis

**Committee Business:**

03:50:35 Chairman Murphy

**ADJOURNMENT**

Adjournment: 11:57 A.M.

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Pam Schindler, Secretary

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Additional Documents:

**EXHIBIT([jus34aad.pdf](#))**